

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 96700/1031
INTERNATIONAL APPLICATION NO. PCT/US2004/001773		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/542958</b>
INTERNATIONAL FILING DATE January 23, 2004		PRIORITY DATE CLAIMED January 24, 2003
TITLE OF INVENTION USE OF MYCOBACTERIAL VACCINES IN CD4+ OR CD8+ LYMPHOCYTE-DEFICIENT MAMMALS		
APPLICANT(S) FOR DO/EO/US William R. Jacobs, Jr.; Tsungda Hsu; Stoyan Bardarov; Vasan Sambandamurthy; Sheldon Morris		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <div style="margin-left: 20px;">                     a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).                      b. <input type="checkbox"/> has been communicated by the International Bureau.                      c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).                 </div>		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <div style="margin-left: 20px;">                     a. <input type="checkbox"/> is attached hereto.                      b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).                 </div>		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <div style="margin-left: 20px;">                     a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).                      b. <input type="checkbox"/> have been communicated by the International Bureau.                      c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.                      d. <input checked="" type="checkbox"/> have not been made and will not be made.                 </div>		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input checked="" type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/542958		PCT/US2004/001773		96700/1031	
20. Other items or information: cover letter and return receipt postcard (enclosed)					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ 200	
All other situations.....\$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ 100	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations.....\$500					
TOTAL OF 21, 22 and 23 =				600	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
115 - 100 =	15 /50 =	1	x \$250	\$ 250	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20 - 20 =	0	x \$ 50	\$	
Independent claims	2 - 3 =	0	x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 850	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 425	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 425	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 425	
				Amount to be refunded:	\$
				Amount to be charged	\$

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JC14 Rec'd PCT/PTO

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21 JUL 2005

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

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- a. ☒ A check in the amount of \$ 425 to cover the above fees is enclosed.
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A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-1785. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

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SIGNATURE

Elie H. Gendloff

NAME

44,704

REGISTRATION NUMBER

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Name: Elie H. Gendloff

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July 21, 2005

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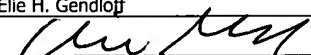
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Name:	Elie H. Gendloff
Signature:	

Re: United States National Stage Filing  
of PCT Application PCT/US2004/001773

Title: USE OF MYCOBACTERIAL VACCINES IN CD4<sup>+</sup> OR  
CD8<sup>+</sup> LYMPHOCYTE-DEFICIENT MAMMALS

Applicants: William R. Jacobs, Jr., Tsungda Hsu, Stoyan Bardarov,  
Vasan Sambandamurthy and Sheldon Morris

Our File: 96700/1031

Sir:

Pursuant to 35 U.S.C. § 371 and 37 C.F.R. § 1.495, enclosed please find an application for patent in the names of William R. Jacobs, Jr., Tsungda Hsu, Stoyan Bardarov, Vasan Sambandamurthy and Sheldon Morris, entitled "USE OF MYCOBACTERIAL VACCINES IN CD4<sup>+</sup> OR CD8<sup>+</sup> LYMPHOCYTE-DEFICIENT MAMMALS," for entering the national stage in the United States of America, comprising the following:

1. a "Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. § 371," Form PTO-1390 (3 pages);
2. a copy of PCT Application No. PCT/US2004/001773 as published under PCT Publication No. WO 2004/066928 A2, including cover page (1 page), specification (82 pages), claims (6 pages), figures (27 sheets);

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July 21, 2005

3. a Preliminary Amendment (5 pages);
4. an AR&E check in the amount of \$425 to cover the total filing fees;  
and
5. a return receipt postcard.

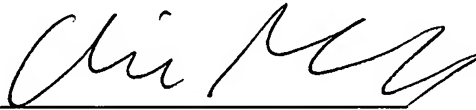
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Please also acknowledge receipt of the enclosed documents by stamping  
the enclosed postcard and returning the same to us.

Respectfully submitted,

Amster, Rothstein & Ebenstein LLP  
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Dated: New York, New York  
July 21, 2005

By:   
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